

MARSHALL COUNTY REPUBLICAN.

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PLYMOUTH, INDIANA, THURSDAY, MAY 30, 1861.

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The Republican.

OFFICE,
HICKORY ST., between Adams and Jefferson.

I. MATTINGLY & SON,
PRINTERS, PUBLISHERS AND PROPRIETORS.

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BUSINESS CARDS.

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and
General Collection Agent,
BOONSBORO, MARSHALL COUNTY, IND.

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PLYMOUTH, INDIANA.

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on the Michigan Road, solicits share of public patronage.

Dr. C. BRIGGS, Rochester, Indiana;
Dr. E. GROVER, Valparaiso, Ind.;
Dr. T. H. HENRY, LaPorte, Ind. (may 1st)

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PHYSICIAN AND SURGEON.

After some years in the profession of medicine, offers his
services to the citizens of Plymouth, and vicinity.
Office over the Postoffice, Dr. A. O. Borton's
Residence, corner Michigan and Ohio sts.
No. 2 LaPorte street, opposite the
Michigan House. (dec 18, 1860 21st)

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WHOLESALE DEALER IN
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Office in Charles Palmer's Store,
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BUCKEYE

LIVERY STABLES,
PLYMOUTH, INDIANA.

The proprietor, having secured large and commodious
stables, and a fine team of horses, with convenient
drays, is prepared to accommodate all those who wish to
hire a team or a horse.

For further particulars, call on or write to
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The New Militia Law.

AN ACT for the organization and regulation of
the Indiana Militia, prescribing the penalties for
violations of said regulations, providing for the
election and appointment of officers, defining the
duties of military and civil officers, and pen-
alties for the neglect or violation thereof, pro-
viding for Courts Martial, Councils of Adminis-
tration and Military Encampment, making ap-
propriations for the support of said Militia, ap-
pealing all laws heretofore enacted on that subject,
giving certain acts therein named, and declaring
an emergency for the immediate taking effect
thereof.

**SECTION 1. Be it enacted by the General
Assembly of the State of Indiana, That the
Militia shall be divided into two classes:**

First—Sedentary.

Second—Active.

OF THE SEDENTARY MILITIA.

**Sec. 2. The Sedentary Militia shall consist
of all male persons subject to bear arms under
the Constitution of Indiana, who do not belong to the Active Militia.**

OF THE ACTIVE MILITIA.

**Sec. 3. The Active Militia shall consist of
able bodied white male persons, between the
ages of eighteen and forty-five years, who shall be
enrolled members of armed and uniformed com-
panies, and organized and mustered into the service
of the State, according to the provisions of this act.**

**Sec. 4. All county auditors, assessors,
sheriffs, or other civil officers, upon whom are
devolved the discharge of specific duties under
this act, who shall neglect or refuse to obey the
provisions of the law herein specified, shall forfeit
and pay not more than five hundred nor less than
twenty dollars for each and every offence, to be
recovered in any Court of competent jurisdiction,
for the use of the Military Fund of the State, in an
action by the State, on the relation of any commis-
sioned officer in the County.**

OF THE MILITARY FUND.

**Sec. 5. One-fourth of the Military Fund
shall remain in the State Treasury, and shall be
drawn on the warrant of the Commander-in-Chief,
to pay the salaries of the Adjutant-General, and the
Quartermaster-General, and to pay the expenses of
State and Brigade Encampments, and Brigade
Courts Martial, and such other expenses as may
accrue in the procurement of blanks provided for
in this act.**

**Sec. 6. The balance of the Military Fund
shall forthwith be distributed, pro rata, by the
Treasurer of the State among those counties hav-
ing an active Militia, in proportion to the number
of active Militia in each county, as shown by the
Adjutant-General, which money shall be paid to the
Treasurer of said Counties, and by them distrib-
uted as follows:**

**First—One-fourth of the Military Fund
shall be placed in the hands of the County Treas-
urer, to be drawn on the warrant of the Adjutant-
General, to pay the actual expenses of the Quar-
termaster-General of the Regiment, for the preser-
vation of the public arms, and to defray the ex-
penses of Regimental or Battalion drills, parades,
encampments and courts martial.**

**Second—The balance of the Fund, after
the preceding disbursements, shall be distributed
among the companies of active Militia in their
Regiment, proportioned in accordance with the
number of members in each, to be used by such
companies to defray the expenses of company drills
and courts martial, of armories and music, and for
the procurement of equipments and munitions.**

**Sec. 7. There is hereby and shall be ap-
propriated annually, for the years 1861 and 1862,
out of the revenue of the State the sum of seventy
thousand dollars, which shall be set apart and con-
stitute a special fund for military purposes.**

OF THE ORGANIZATION OF THE ACTIVE MILITIA.

**Sec. 8. The active Militia shall be styled
the Indiana Legion. Every able-bodied white male
citizen or white male resident of the State, over
eighteen years of age and under forty-five, may be
admitted into its organization, who shall voluntarily
take and subscribe the following oath, administered
by the mustering officer, who is hereby vested with
power and authority so to do:**

**"I solemnly swear (or affirm) that I will
honestly and faithfully serve the State of Indiana
against all her enemies or opposers, and that I will
do my utmost to support the Constitution and laws
of the United States and of the State of Indiana,
against all violence of whatever kind or description;
and I further swear (or affirm) that I will well and
truly execute and obey the legal orders of all officers
legally placed over me, when on duty; so help me
God;" or under the pains and penalties, as the case
may be.**

**Sec. 9. The Legion, in its complete or-
ganization, shall be considered as a single army
corps, composed of Divisions, Brigades, Regiments,
Battalions, Companies, and the necessary general
officers and field staff officers.**

**First—A Company shall consist of a
Captain, a First Lieutenant, a Second Lieutenant,
an Orderly Sergeant, four Sergeants, four Corporals,
a Company Clerk, who shall be elected by the Com-
pany, and not less than thirty-two nor more than
one hundred privates; and the Captain may occa-
sionally appoint Lance Sergeants and Lance Cor-
porals, when there may be a necessity for a greater
number of non-commissioned officers.**

**Second—Four Companies shall constitute
a Battalion.**

**Third—Three Battalions shall constitute
a Regiment.**

**Fourth—Three Regiments shall constitute
a Brigade.**

**Fifth—Three Brigades shall constitute a
Division.**

**Sixth—But the organization above di-
rected for the Legion, with the exception of the
Company organization, may be modified by the Gov-
ernor, according to the convenience and necessities of
the service.**

OF FIELD AND GENERAL OFFICERS.

**Sec. 10. A Major shall be elected by the
men of each Regiment.**

**First—He shall appoint two non-com-
missioned officers to discharge the duties of Adjutant
and Paymaster, and Quartermaster and Commissary;
and, in case of necessity, may assign all these duties
to one of them.**

Second—He may also appoint two non-

commissioned officers as the non-commissioned staff of the Battalion.

**Third—He shall also have authority to
appoint an Assistant Surgeon, with the rank of First
Lieutenant.**

**Sec. 11. A Colonel and a Lieutenant
Colonel shall be appointed by the Governor for each
Regiment, who shall be commissioned for four years.**

**First—The Colonel shall appoint the
Regimental Staff, to consist of Adjutant, a Regimental
Quartermaster, a Paymaster and Surgeon, and Judge
Advocate, each of whom shall have the rank of Lieu-
tenant; and the non-commissioned staff to consist of
a Sergeant Major, a Quartermaster Sergeant, and a
Color Bearer.**

**Sec. 12. A Brigadier General shall be ap-
pointed by the Governor for each Brigade.**

**First—Such Brigadier General shall ap-
point the Brigade Staff, to consist of a Brigade In-
spector, who shall also discharge the duties of As-
sistant Adjutant General, a Quartermaster, a Pay-
master, a Surgeon, and a Judge Advocate, each of
whom shall have the rank of Lieutenant Colonel; and
two Aids-de-Camp, with the rank of Major.**

**Second—He may also appoint four Staff
Sergeants, as assistants in the offices and duties of
his staff.**

OF MUSTERING VOLUNTEERS INTO THE LEGION.

**Sec. 13. Whenever an association of
individuals shall desire to volunteer as a company in
the Legion, they shall first file with the Auditor of
the State a petition, and a copy of their articles of
association, and accompanying it with an undertaking,
with security to the satisfaction of the Auditor, that
they will keep uniform themselves.**

**A list of members not less than forty-six
shall be forwarded to the Adjutant-General, (or
other officer who may be hereafter designated by the
order of the Governor,) who should be satisfied that
the members are loyal to the State and the United
States and are legally qualified, and will uniform
themselves, shall issue an order for the election of
officers, specifying the time and place for holding such
election.**

**He shall also before the election is held,
appoint three disinterested persons to receive and
count the ballots in his presence, should he attend in
person, or in the presence of the officer to whom he
has delegated his authority to preside at such election,
and to mustered the company into the State service.
No officer shall be considered elected unless he re-
ceives a majority of all the votes cast, which in all
cases shall be by ballot, and no primary election
shall be valid, unless by two-thirds of the company
voted. After the election of the officers authorized by
this act, the officer presiding at the election shall pro-
ceed to mustered the company into the Legion, by
causing every member to take in his presence the
oath of allegiance herein before prescribed.**

**This having been done, the mustering
officer shall make a certified statement of the fact,
and of the result of the election, through the proper
channels of correspondence to the Adjutant-General,
who shall cause the commissions to be forwarded to
the officers elected.**

**Sec. 15. Every person, on becoming a
member of a company, after it has been mustered
into the Legion, shall be required by the Commander
to take the oath of allegiance.**

**Sec. 16. Every member of the Legion
shall provide himself with his proper uniform, within
three months after becoming a member of the organi-
zation. His failure to do so will subject the offend-
er to such penalties as may be inflicted by the
by-laws of the organization, or by sentence of a
court martial.**

**Sec. 17. The company clerk may receive
such compensation for his services as the Council of
Administration of the Company shall allow; and it
shall be his duty to keep the records of the Company
in accordance with the orders of the commander and
the requirements of the constitution and by-laws.**

**OF SUPPLYING ARMS AND EQUIPMENTS TO
COMPANIES OF THE LEGION.**

**Sec. 18. The commanding officer of
every Company of the Legion shall make a requisition
on the Quartermaster-General for such supply of arms
and equipments as may be necessary for his com-
pany. This requisition accompanied by the com-
manding officer's receipt to the Quartermaster-Gen-
eral, shall be forwarded to the Governor. Should the
Governor approve, he shall give an order on the back
of the requisition, directing the Quartermaster-Gen-
eral to make the issue. The arms having been issued,
the Quartermaster-General will file the receipt and re-
quisition as vouchers to accompany his annual re-
turn to the Governor.**

**Sec. 19. Arms and equipments and all
military stores and equipments, issued as above pro-
vided, shall be charged by the Auditor of State to the
counties in which such military Companies were orga-
nized, for which purpose all issuances of the kind
must be promptly reported to him by the Quartermas-
ter-General.**

**Sec. 20. The officers and members of
all such volunteer companies shall file in the office
of the county auditor such bond and security as such
auditor may deem requisite to secure the county from
loss, on account of the use or misapplication of such
arms or equipments or other stores. Such bond shall
be payable to the Board of Commissioners of the county.**

**Sec. 21. When any arms, equipments, or
military stores, which have been issued as above pro-
vided, to any county, shall again come into the pos-
session of the Quartermaster-General, it shall be his
duty to forward his receipt therefor to the auditor of
the county.**

**Sec. 22. At the close of each fiscal year,
it shall be the duty of the Auditor of State to settle
the account of each county, with reference to the
issuance of arms, equipments, and military stores,
in pursuance of the requirements of this act, and
whenever it shall appear to his satisfaction that a
county has failed to return and issue, or any part
thereof, on the demand of the Governor, or that
any arms or other issues have been damaged,
beyond the injury resulting from the necessary use
of such articles issued, or that a deficiency at any
time exists in the number or quantity of such arms
or military stores, then he shall charge the value**

of such missing arms and stores, and the amount of
such unnecessary damage, to such county; and the
amount thus found due shall, on the demand of the
auditor, be assessed as part of the county levy, and
collected in such county in the same manner as
ordinary taxes, and shall be paid into the State Treas-
ury, as a separate fund to be applied by the Gov-
ernor in the purchase of other arms for the State.

OF ELECTIONS IN THE LEGION.

**Sec. 23. Unless otherwise specially or-
dered, all elections shall be held at the armory, or
other ordinary place of meeting of each Company, or
other command, and no person who has been more
than three months a member of the Legion, shall be
permitted to vote unless he appears at the polls in the
proper uniform of his corps.**

**Sec. 24. In cases where there has been a
failure to elect, the persons receiving the smallest
number of votes shall be successively dropped and
not voted which may thereafter be cast at said
election for such person shall be counted, and, in case
of a tie, it shall be determined by lot to be drawn by
the candidates in presence of the judge of the elec-
tion.**

**Sec. 25. At all elections held after a
Company has been mustered into the State service,
modes of procedure similar to those prescribed for
the election of Company officers shall be followed; but
not more than three persons shall be appointed for
such election, the three persons highest in the rank of
the officers and non-commissioned officers present, and
who shall not be candidates at such election, shall be
the judges.**

**Sec. 26. Every officer on receiving his
commission, shall take the oath of office prescribed in
the Constitution, and in addition thereto, the follow-
ing: "And I do further swear or affirm, that I will
honestly and faithfully serve the State of Indiana
against all her enemies and opposers, and obey the
legal orders of all officers placed over me, so help me
God, or under the pains and penalties of perjury," as
the case may be.**

OF BANDS AND FIELD MUSIC.

**Sec. 27. There may be raised for each
Company, by the voluntary engagement of such per-
sons, two musicians; and for each Battalion a band,
to be composed of not more than ten musicians, which
bands, when the Regiment is assembled, shall be con-
solidated into a Regimental band under the command
of the Adjutant. The Colonel may appoint a Leader,
Drum Major, and principal musicians, who shall rank
as Sergeants. The musicians and members of the
bands shall be subject to the requirements of this act,
and councils of administration may make reasonable
appropriations from the Company, Battalion, and
Regimental funds, for the payment of such members
of the bands, and for the hiring of other music when
necessary.**

**Sec. 28. All musicians and other per-
sons, whether members of the active Militia or not,
who may hire their services to a military body, or to
any member thereof, shall, during the term for which
they were employed, be subject to the same laws and
regulations that govern the military body with which
they may serve.**